

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT CLEVELAND MITCHELL, III,

Plaintiff,

Case No. 1:05cv203

v.

Hon. Gordon J. Quist

MICHIGAN DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

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**ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on June 19, 2006. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed June 19, 2006, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment (docket no. 45) is **GRANTED**, as to plaintiff's federal claims. Plaintiff's state claims are hereby dismissed.

/s/Gordon J. Quist
Hon. Gordon J. Quist
U.S. District Judge

Dated: July 12, 2006